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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/550,078

**Applicant(s)**

LAUSTERER ET AL.

**Examiner**

ASHRAF ZAHR

**Art Unit**

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This is the final action on the merits for application number 10/550,078.

Claims 1-21 are pending in this application.

### ***Response to Arguments***

2. Applicant argues "there is nothing in Rutkowski that suggests that the display window is opened when one of the operation state areas is selected"

However Rutkowski states, "the actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows" (Rutkowski, col 5, ln 4-16).

3. Applicant also argues "there is no suggestion that a submenu is additionally permanently displayed in the display windows 20, 30 or in the display area 22, 32"

Non-activated windows can be represented partly or totally covered by an activated window (Rutkowski, col 4, ln 35-45). This indicates that these windows can remain displayed according to the invention. Therefore, the examiner respectfully disagrees with the applicant.

Art Unit: 2175

4. Applicant also argues, "Because Rutkowski fails to describe or suggest a submenu, Rutkowski also fails to describe or suggest submodes and subwindows, as also recited in claims 1 and 14".

Rutkowski discloses windows (Fig 1, 20:30) with submenus (Fig 2: 21:31). Therefore, the examiner respectfully disagrees with the applicant.

5. Applicant also argues "there is nothing in this passage that would suggest the windows, 20, 30 would include a permanently display submenu that provides selection of different submodes that are each associated with a subwindow, or that a sub-subwindow would be associated with a sub-submode that is selected using a permently displayed sub-submenu of the subwindow" in regards to claim 3.

However, Rutkowski states, it is possible to provide merely a single operation state area in the title line 21, 31 in which the mode of operation active at the moment is displayed in text and/or graphics. Further possible and selectable operating states are on the other hand selectable in the form of submenus with pull-down menus, for example (Rutkowski, col 4 ,ln 10-15). Futhermore, the scope of claim 3 was changed when "with" was changed to "when" and claim 1 was amended. The revised rejection below addresses that it would be obvious to one of ordinary skill in the arts use these menus to provide another window with information inside the subwindow. The motivation to do so is that,

Art Unit: 2175

In the display areas 22, 32 of the available display window 21, 31 various information relating to the processing unit associated with the display window 20, 30 is offered or presented visually to the user. For example, the display of particular user inputs, the display of the positions of machine axes, the representation of executed NC programs, the graphical representation of the workpiece, status information relating to the tool and/or the machine tool, workpiece processing simulations, among many other types of information can be displayed. In the display areas 22, 32 various types of information can consequently be presented visually to the respective user.

Rutkowski, col 4, ln 20-30

6. Applicant also argues "Nishiyama never describes or suggests that if in an original main mode, a particular subwindow was opened and a user switched from the original main mode to another main mode, if the user switches back to the original main mode, the particular subwindow is opened upon return into the original main mode".

Nishiyama was only relied upon to provide a reference for a touch screen.

Therefore, the examiner respectfully disagrees with the applicant.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 16-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding

Art Unit: 2175

**Regarding Claims 16-21**, Claim 16 has been amended to depend from itself. This is improper since a claim cannot depend from itself.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rutkowski, US 6,389,325 (Hereinafter, Rutkowski)

**Regarding Claim 1**, Rutkowski discloses, "a user interface of a machine tool, the user interface comprising: a display that is divided into at least a first display region and a second display region" (Rutkowski, col 3, ln 40-45).

Rutkowski also discloses, "wherein the first display region permanently displays a main menu that provides selection of different main modes of the user interface". Specifically, Rutkowski discloses for each possible mode of operation of a processing unit, a graphical symbol is available that is understandable to the user (Rutkowski, col 3, ln 60-65).

Rutkowski also discloses, "wherein each main mode is associated with a main window that is opened in the second display region when a main mode is selected in the main menu". Specifically, Rutkowski discloses windows for the

Art Unit: 2175

various processing units of the respective machine tools (Rutkowski, col 3, In 38-40). Furthermore, the actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows. For activation of this type, the menu item "WINDOW" can perhaps be provided in the title line 11 (Rutkowski, col 5, In 4-16).

Rutkowski also discloses, "wherein at least one of the main windows comprises a permanently displayed submenu that provides selection of different submodes with each submode being associated with and a subwindow that is opened when an associated submode is selected". Specifically, Rutkowski discloses a selection menu in the title line (Rutkowski, col 3, In 15-17, Fig 2: 31).

Rutkowski also discloses, "wherein one or more of the main windows and the subwindows include input fields" (Rutkowski, col 4, In 64 –col 5, In 4).

Rutkowski also discloses, "an input unit for selecting the individual modes and for processing the input fields provided in a window, wherein the display permanently displays which one of the main modes is selected" (Rutkowski, col 2, In 55-65).

Rutkowski discloses, "wherein if in an original main mode, a particular subwindow was opened and a user switched from the original main mode to another main mode". Specifically, actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is

possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows. For activation of this type, the menu item "WINDOW" can perhaps be provided in the title line 11 (Rutkowski, col 5, ln 4-16). This indicates a user can switch between windows.

Rutkowski does not explicitly disclose, "then if the user switches back to the original main mode, the particular subwindow is opened upon return into the original main mode". However, it would be obvious to one of ordinary skill in the art that a particular subwindow would be opened up when a user switches back to a different mode. The motivation to do that is further connected with the activation of a particular display window, for example display window 30 as shown in FIG. 2, is the fact that this respective display window 30 is represented uncovered on the display unit. Non-activated display windows, such as display window 20, for example, can be represented partly or totally covered by the activated window (Rutkowski, col 4, ln 31-54).

**Regarding Claim 2**, Rutkowski also discloses, "the user interface of claim 1, wherein the selected main mode is marked in the main menu". Specifically, Rutkowski discloses a title line (Rutkowski, col 3, ln 10).

**Regarding Claim 3**, Rutkowski does not specifically disclose, "the user interface of claim 1, wherein at least one of the subwindows comprises a permanently displayed sub-submenu for selecting different submodes of a



Art Unit: 2175

selected submode and a sub-subwindow associated with each sub-submode such that a sub-subwindow is opened when its associated sub-submode is selected". However, Rutkowski discloses two display windows (Fig 2: 20, 30). There is also a main window (Fig 2: 10). There is no sub-subwindow disclosed. However, it would be obvious to one of ordinary skill in the art at the time of the invention to use display a sub-subwindow when a user selects an operation state (Rutkowski, col 3, ln 55-60). The motivation to do so is that, In the display areas 22, 32 of the available display window 21, 31 various information relating to the processing unit associated with the display window 20, 30 is offered or presented visually to the user. For example, the display of particular user inputs, the display of the positions of machine axes, the representation of executed NC programs, the graphical representation of the workpiece, status information relating to the tool and/or the machine tool, workpiece processing simulations, among many other types of information can be displayed. In the display areas 22, 32 various types of information can consequently be presented visually to the respective user (Rutkowski, col 4, ln 20-30).

**Regarding Claim 4**, Rutkowski also discloses, "the user interface of claim 3, wherein at least one of the main windows, the subwindows, or the sub-subwindows comprises: a navigation menu for selecting different navigation modes that each graphically represent a region of the machine tool". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, ln 10-15).

Rutkowski also discloses, "a navigation window associated with each navigation mode such that a navigation window is opened within at least one main window, subwindow, or sub-subwindow when its associated navigation mode is selected". Specifically, the softkeys are related to a definite display window (Rutkowski, col 3, ln 10-15).

**Regarding Claim 5**, Rutkowski does not specifically disclose, "the user interface of claim 3, wherein if in an original main mode, a particular the sub-subwindow or navigation window was opened and a user switched from the original main mode to another main mode, if the user switches back to the original main mode from the other main mode, the particular sub-subwindow or navigation window is opened upon return into the original main mode". However, it would be obvious to one of ordinary skill in the art that a particular sub-subwindow would be opened up when a user switches back to a different mode. The motivation to do that is further connected with the activation of a particular display window, for example display window 30 as shown in FIG. 2, is the fact that this respective display window 30 is represented uncovered on the display unit. Non-activated display windows, such as display window 20, for example, can be represented partly or totally covered by the activated window (Rutkowski, col 4, ln 31-54).

**Regarding Claim 6**, Rutkowski also discloses, "the user interface of claim 3, wherein at least one of the main windows, the subwindows, or the sub-

subwindows comprises at least one activity button for processing input fields provided therein, in which each activity button is associated with an activity button window". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, ln 10-15).

**Regarding Claim 7**, Rutkowski does not specifically disclose, "the user interface of claim 6, wherein when an activity button window is opened, switching over to a different main window, subwindow, or sub-subwindow of the same main mode is blocked". However it would obvious to one of ordinary skill in the art at the time of the invention to block a switchover to a different menu. The motivation to do this is found in Rutkowski where it states that each processing unit or each processing channel of the machine tool there exists moreover a series of possible operating states or modes of operation (Rutkowski, col 18-25). These modes of operations allow invention to prevent or allow certain actions when the machine is a specific state.

**Regarding Claim 8**, Rutkowski also discloses, "the user interface of claim 4, wherein a sequence of the individual submodes, sub-submodes, and navigation modes within one main mode is oriented on the workflow of the machine tool". Specifically, the processing units can execute various functions simultaneously (Rutkowski, col 3, ln 35-55).

**Regarding Claim 11**, Rutkowski also discloses, "the user interface of claim 1 wherein at least one of the main windows or the subwindows comprises: a navigation menu for selecting different navigation modes that each graphically represent a region of the machine tool". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, ln 10-15).

Rutkowski also discloses, "a navigation window associated with each navigation mode such that a navigation window is opened within at least one main window or subwindow when its associated navigation mode is selected". Specifically, the softkeys are related to a definite display window (Rutkowski, col 3, ln 10-15).

**Regarding Claim 12**, Rutkowski also discloses, "the user interface of claim 11 wherein at least one of the main windows or the subwindows comprises at least one activity button for processing input fields provided therein, in which each activity button is associated with an activity button window". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, ln 10-15).

**Regarding Claim 13**, Rutkowski also discloses, "the user interface of claim 1, wherein the main menu is displayed as a menu bar". Specifically, the Rutkowski displays a menu bar (Rutkowski, Fig 2: 11).

**Regarding Claim 14**, Rutkowski also discloses, “a method of interfacing with a user of a machine tool, the method comprising: displaying a first display region in a display” (Rutkowski, Fig 2: 11).

Rutkowski also discloses, “displaying a second display region in the display” (Rutkowski, col 3, Fig 2: 1).

Rutkowski also discloses, “permanently displaying a main menu in the first display region, wherein the main menu provides a selection of different main modes of the user interface, wherein each main mode is associated with a main window”. Specifically, Rutkowski discloses a **MODE** of operation (Rutkowski, col 3, ln 15-20, Fig 2: 11)

Rutkowski also discloses, “opening a main window in the second display region when it associated main mode is selected in the main menu”. Specifically, Rutkowski discloses opening a window for each mode of operation (Rutkowski, Fig 2: 20)

Rutkowski also discloses, “permanently displaying a submenu in at least one of the main menus, wherein the submenu provides a selection of different submodes that are each associated with a subwindow”. Specifically, Rutkowski discloses a selection menu in the title line with a mode of operation (Rutkowski, col 3, ln 15-17).

Rutkowski also discloses, “opening a subwindow when its associated submode is selected”. Specifically, Rutkowski opens a window that are each assigned to different processing nits or tasks of the respective machine tool (Rutkowski, col 2, ln 65 – col 3, ln 5).

Rutkowski also discloses, "displaying input fields in one or more of the main windows and the subwindows enabling selection of one or more of a main mode or a submode through an input unit" (Rutkowski, col 4, ln 64 –col 5, ln 4).

Rutkowski also discloses, "processing the input fields at the input unit; and permanently displaying in the display which one of the main modes is selected" (Rutkowski, col 2, ln 55-65).

Rutkowski also discloses, "opening a particular subwindow in an original main mode". Specifically, actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows. For activation of this type, the menu item "WINDOW" can perhaps be provided in the title line 11 (Rutkowski, col 5, ln 4-16). This indicates a user can switch between windows.

Rutkowski also discloses, "receiving a selection to switch from the original main mode to another main mode". Specifically, actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows. For activation of this type, the menu item "WINDOW" can perhaps be provided in the title line 11 (Rutkowski, col 5, ln 4-16). This indicates a user can switch between windows.

Rutkowski also discloses, "receiving a selection to switch from the other main mode back to the original main mode". Specifically, actual activation of the desired display window 20, 30 can be accomplished by the user in various ways. For example, it is possible to provide for this purpose in the title line 11 an activation area in the form of a menu item whose submenu items are the various available processing units' respective display windows. For activation of this type, the menu item "WINDOW" can perhaps be provided in the title line 11 (Rutkowski, col 5, ln 4-16). This indicates a user can switch between windows.

Rutkowski does not explicitly disclose, "opening the particular subwindow upon return to the original main mode". However, it would be obvious to one of ordinary skill in the art that a particular subwindow would be opened up when a user switches back to a different mode. The motivation to do that is further connected with the activation of a particular display window, for example display window 30 as shown in FIG. 2, is the fact that this respective display window 30 is represented uncovered on the display unit. Non-activated display windows, such as display window 20, for example, can be represented partly or totally covered by the activated window (Rutkowski, col 4, ln 31-54).

**Regarding Claim 15**, Rutkowski also discloses, "the method of claim 14, further comprising marking the selected main mode in the main menu". Specifically, a title bar that can display the processing function in the title area (Rutkowski, col 3, ln 47-52).

**Regarding Claim 16**, Rutkowski also discloses, "the method of claim 16, further comprising: permanently displaying in at least one of the subwindows a sub-submenu that enables selection of different sub-submodes of a selected submode". Specifically, Rutkowski discloses a menu in the display window that can allow the user to select operation states (Rutkowski, col 3, ln 55-65).

Rutkowski does not specifically disclose, "associating with each sub-submode a sub-subwindow and opening a sub-subwindow when its associated sub-submode is selected". However, Rutkowski discloses two display windows (Fig 2: 20, 30). There is also a main window (Fig 2: 10). There is no sub-subwindow disclosed. However, it would be obvious to one of ordinary skill in the art at the time of the invention to use display a sub-subwindow when a user selects an operation state (Rutkowski, col 3, ln 55-60). The motivation to do so would be to create a new window to assign to a different processing unit or task (Rutkowski, col 3, ln 1-3).

**Regarding Claim 17**, Rutkowski also discloses, "the method of claim 16, further comprising: presenting a navigation menu having different navigation modes in at least one of the main windows, the subwindows, or the sub-subwindows, wherein each navigation mode represents a region of the machine tool". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, ln 10-15).

Rutkowski also discloses, "associating a navigation window with each navigation mode" and "opening a navigation window within the at least one main



Art Unit: 2175

window, subwindow, or sub- subwindow when its associated navigation mode is selected". Specifically, the softkeys are related to a definite display window (Rutkowski, col 3, ln 10-15).

**Regarding Claim 18**, Rutkowski also discloses, "receiving a selection to switch from the original main mode to another main mode". Specifically, Rutkowski discloses the ability optionally activated the windows by the user during the simultaneous execution of various tasks (Rutkowski, col 4, ln 30-55).

Rutkowski also discloses, "receiving a selection to switch from the other main mode back to the original main mode". Specifically, Rutkowski discloses the ability optionally activated the windows by the user during the simultaneous execution of various tasks (Rutkowski, col 4, ln 30-55). The examiner reads this as being able to switch back and forth between windows.

Rutkowski also discloses, "opening the particular sub-subwindow, or navigation window upon return to the original main mode". Specifically, the Rutkowski discloses the ability to cover or hide non-activated displays and then re-open them (Rutkowski, col 4, ln 30-55).

Rutkowski does not specifically disclose, "the method of claim 16, further comprising: opening a particular sub-subwindow, or navigation window in an original main mode". However, Rutkowski discloses windows for the various processing units of the respective machine tools (Rutkowski, col 3, ln 38-40). It would be obvious to one of ordinary skill in the art at the time of the invention to open a sub-subwindow in a main mode window. The motivation to do so is that,

Art Unit: 2175

In the display areas 22, 32 of the available display window 21, 31 various information relating to the processing unit associated with the display window 20, 30 is offered or presented visually to the user. For example, the display of particular user inputs, the display of the positions of machine axes, the representation of executed NC programs, the graphical representation of the workpiece, status information relating to the tool and/or the machine tool, workpiece processing simulations, among many other types of information can be displayed. In the display areas 22, 32 various types of information can consequently be presented visually to the respective user (Rutkowski, col 4, In 20-30).

**Regarding Claim 19**, Rutkowski also discloses, "the method of claim 16, further comprising: presenting an activity button in at least one of the main windows, the subwindows, or the sub-subwindows, wherein an activity button supports processing of input fields provided in the at least one main window, subwindow, or sub-subwindow". Specifically, the softkeys are provided for context related input capability (Rutkowski, col 3, In 10-15).

Rutkowski also discloses, "associating each activity button with an activity button window". Specifically, these softkeys are always related to a definite display window (Rutkowski, col 3, In 10-15).

**Regarding Claim 20**, Rutkowski does not specifically disclose, "the method of claim 19, further comprising blocking switching to a different main

Art Unit: 2175

window, subwindow, or sub-subwindow of a main mode when an activity button window is opened". However it would obvious to one of ordinary skill in the art at the time of the invention to block a switchover to a different menu. The motivation to do this is found in Rutkowski where it states that each processing unit or each processing channel of the machine tool there exists moreover a series of possible operating states or modes of operation (Rutkowski, col 18-25). These modes of operations allow invention to prevent or allow certain actions when the machine is a specific state.

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rutkowski, US 6,389,325 (Hereinafter, Rutkowski) in view of Nishiyama et al., US Patent Number 6,236,399 (Hereinafter, Nishiyama).

**Regarding Claim 10**, Rutkowski does not specifically disclose, "the user interface of claim 1, wherein the display and the input unit are formed by a touch screen". However, Nishiyama remedies this with a touch panel overlaid on a LCD (Nishiyama, col 4, ln 65 – col 5, ln 3). It would be obvious to one of ordinary skill in the art at the time of the invention to add the touch panel feature to Rutkowski's user interface for a machine tool. The motivation to do so would be to provide an input for the selection of icons in the machine tool interface (Nishiyama, col 5, ln 26-40).

Art Unit: 2175

4. Claims 9, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rutkowski, US 6,389,325 (Hereinafter, Rutkowski) in view of Dando, US Patent Number 6,944,829 (Hereinafter, Dando).

**Regarding Claim 9**, Rutkowski does not specifically disclose, "the user interface of claim 3, characterized in that at least one of the submenus and the sub-submenus is designed as tab menu bar". However, Dando remedies this with the disclosure of tabbed menus (Dando, col 9, ln 10-16). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the references to add tabs to windows in Rutkowski. The motivation to do so would be give the window a tabbed layout (Dando, col 9, ln 16-17).

**Regarding Claim 21**, Rutkowski does not specifically disclose, "the method of claim 16, further comprising designing at least one of the submenus or sub-submenus as a tab menu bar". However, Dando remedies this with the disclosure of tabbed menus (Dando, col 9, ln 10-16). It would be obvious to one of ordinary skill in the art at the time of the invention to combine the references to add tabs to windows in Rutkowski. The motivation to do so would be give the window a tabbed layout (Dando, col 9, ln 16-17).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

Art Unit: 2175

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHRAF ZAHR whose telephone number is (571)270-1973. The examiner can normally be reached on M-F 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ 4/20/08

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